

**WESTFIELD - WASHINGTON TOWNSHIP
ADVISORY PLAN COMMISSION**

Petition Number	0707-REZ-02
Approximate Address	16201 Spring Mill Road
Petitioner	Commercial Development Properties, LLC
Request	Change in zoning from the AG-SF-1 and SF-3 Districts to the GB District
Current Zoning	AG-SF-1, EI, and Eagle Station PUD
Approximate Acreage	16.79 Acres
Site History	0605-DP-12 Chase Bank Development Plan Review 0508-DP-32 Springmill Commons DPR 0408-REZ-07 Town of Westfield change in zoning 0306-REZ-02 Springmill Commons change in zoning
Exhibits	1) WCD Staff Report, 07/23/07 2) Petitioner's Exhibits, 07/09/07

PETITION HISTORY - JULY 23, 2007

The July 23, 2007 appearance of this petition before the Westfield-Washington Township Advisory Plan Commission for public hearing represents the first appearance for this petition before the APC.

This petition underwent initial consideration by the Westfield Town Council at the July 9, 2007 hearing.

PROCEDURAL

- Change in zoning petitions are required to have a public hearing. Legal notice has been provided for the required public hearing for the July 23, 2007 Advisory Plan Commission meeting in accordance with all applicable statutes.
- The Westfield-Washington Township Advisory Plan Commission rules of procedure require any change in zoning petition to be sent to the Comprehensive Plan Subcommittee of the APC for consideration. The first available date for any such consideration is the August 1, 2007 meeting.
- The Westfield Town Council has directed the APC to conduct the required hearing, forego any subcommittee appearance, and return this item to the Town Council by the August 13, 2007 meeting. This would require the members of the APC to vote to waive the required subcommittee appearance and to make a recommendation on this petition at the July 23, 2007 APC meeting.

REQUEST

The proposed change in zoning has two main components. The first component would legally establish an existing integrated commercial center, consisting of five commercial structures enclosing approximately 110,000 square feet. The second component would include an additional parcel, consisting of approximately 1.79 acres, in the GB District and enable the development of that parcel as a component of the existing integrated center.

INTRODUCTION

The request concerns an area of land generally located in the northeast corner of the intersection of Springmill Road and 161st Street. The subject site is comprised of four parcels, and consists of approximately 16.79 acres. Of the identified acreage, approximately fifteen (15) acres are located within the SF-3 District, and approximately 1.79 acres are located in the AG-SF-1 District. The parcels within the SF-3 District are improved with an integrated commercial center, and are used commercially for a variety of retail and service uses. The parcels within the AG-SF-1 District are improved with a single-family dwelling and an agricultural out building, and are used for a religious use.

The subject site abuts the public rights-of-way of 161st Street to the south and Springmill Road to the west. Access to the subject site is currently provide from two vehicle drives on the north side of the 161st Street right-of-way and from one vehicle drive from the east side of the Springmill Road right-of-way. An additional vehicle access is provided from the residential development to the north of the subject site. Eight-foot wide asphalt paths are located within both abutting rights-of-way, and provide pedestrian access to the subject site. A site plan submitted in conjunction with this change in zoning request depicts an additional potential vehicle access point from the east side of the Springmill Road right-of-way, which would provide direct access to the additional 1.79 acre parcel.

Properties abutting the subject site to the north are within the MF-2 District, and are improved with townhomes. Properties abutting the subject site to the south and west are located in the AG-SF-1 District, and are improved with single-family dwellings, a religious institution, and agricultural uses. Properties abutting the subject site to the east are located within the SF-3 (Cluster) District, and are improved with single-family dwellings.

PUBLIC POLICIES

Comprehensive Plan

The Land Use Concept Map of the Amended Westfield-Washington Township 2020 Comp Plan identifies the existing portion of the Springmill Commons integrated center as located in a “Local Commercial” area (pg. 23). Local Commercial areas are intended to provide goods and services used on a day-to-day basis (pg. 46). The Springmill Commons integrated center is specifically identified as an example of a “Local Commercial” area in the Amended 2020 Plan (pg. 46.)

The Amended Westfield-Washington Township 2020 Plan identifies the additional 1.79 acre parcel proposed to be added to the Springmill Commons integrated center as located in an “Existing Suburban” area (pg. 23). The Comprehensive Plan states that “New retail uses should not be permitted in the Existing Suburban area...” (pg. 38), and further states that “...attempting to introduce retail uses into those areas will change the residential character of the area.” (pg. 38). The recommendations of Existing Suburban areas identify attached and detached dwellings, institutional uses, and recreational uses as appropriate uses for the subject site.

Thoroughfare Plan

The current Westfield Thoroughfare Plan roadway classification map (page 4-20, figure 4-7) identifies both 161st Street and Springmill Road as “Secondary Arterials,” and recommends a minimum dedication of a sixty (60) foot half right-of-way. Rights-of-way for the portions of these roads abutting the existing integrated center have already been dedicated in accordance with the Thoroughfare Plan. Right-of-way along Springmill Road abutting the 1.79 acre parcel has not been dedicated, and should be required as a condition of any change in zoning granted the 1.79 acre parcel.

The current Westfield Thoroughfare Plan identifies both 161st Street and Springmill Road as providing bicycle and pedestrian accommodation within the public right-of-way. An eight-foot wide asphalt path has been provided within the rights-of-way of both 161st Street and Springmill Road abutting the portion of the subject site currently improved with an integrated commercial center. The extension of the eight-foot wide asphalt path along the portion of the 1.79 acre parcel should be required as a condition of any change in zoning granted the 1.79 acre parcel.

Water and Sewer

The Westfield Water Master Plan depicts the subject site as served by an existing water line on the south side of 161st Street. The Westfield Water Master Plan does not identify any proposed future water main expansion within or abutting the subject site.

The Westfield Sewer Master Plan depicts the subject site as served by an existing sewer line at the southwest corner of the intersection of 161st Street and Springmill Road. The Westfield Sewer Master Plan does not identify any proposed future sewer main expansions within or abutting the subject site.

Annexation

The subject site is within the corporate limits.

TECHNICAL REVIEW

This petition will undergo preliminary review by the Technical Advisory Committee at the August 1, 2007 TAC meeting. Comments received from agencies in attendance will be provided as a component of any future report to the Westfield Town Council.

RECOMMENDATION

Waive the required subcommittee appearance, and forward this petition to the August 13, 2007 Town Council meeting with a positive recommendation.